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JUL 20 2005

PATENT

Practitioner's Docket No. 67,200-613

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Tsai, et al.		
Serial No.	10/050,322	Group No.:	1756
Filed:	Jan. 15, 2002	Examiner:	Kathleen Duda
For:	A Bi-Layer Photoresist Dry Development and Reactive Ion Etch Method		
Mail Stop:	Appeal		
Commissioner for Patents			
P O Box 1450			
Alexandria, VA 22313-1450			

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed July 7, 2005, finally rejecting claims 1,3,5,7,11-13, 23-26, and 30-38.

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT
This application is on behalf of

other than a small entity.

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a small entity.

01 FC:1401 500.00 OP

A verified statement

is attached.

was already filed on _____.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. 1.17(c) the fee for filing the Notice of Appeal is:

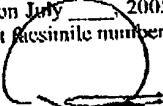
<input type="checkbox"/> small entity	\$250.00
<input checked="" type="checkbox"/> other than a small entity	\$500.00

Notice of Appeal fee due: \$ 500.00

CERTIFICATE OF MAILING OR FACSIMILE TRANSMISSION (37 C.F.R. 1.8a)

I hereby certify that this correspondence is (1) being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P O Box 1450, Alexandria, VA 22313-1450 on July 20, 2005; or (2) being facsimile transmitted to the United States Patent and Trademark Office at facsimile number (571)-273-8300 on July 20, 2005.

Randy W. Tung
Printed Name


Signature

7/20/05
Date

3. EXTENSION OF TERM

NOTE: The time periods set forth in 37 C.F.R. 1.191 are subject to the provision of §1.136 for patent applications. 37 C.F.R. 1.191(d). (But see 37 C.F.R. 1.645 for extension of time in interference proceedings and 37 C.F.R. 1.550(c) for extension of time in reexamination proceedings).

(complete (a) or (b), as applicable)

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

- (a) Applicant petitions for an extension of time under 37 C.F.R. 1.136
(fees: 37 C.F.R. 1.17(a)-(d) for the total number of months checked below:

Extension (months)	Fee for other than small entity	Fee for <u>small entity</u>
<input checked="" type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$225.00
<input type="checkbox"/> three months	\$ 1,020.00	\$510.00
<input type="checkbox"/> four months	\$ 1,590.00	\$795.00

Fee \$ 120.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- An extension for _____ months has already been secured. The fee paid therefore of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

or

- (b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is: \$ 620.00

Notice of Appeal fee \$ 500.00
Extension fee (if any)\$ 120.00

TOTAL FEE DUE: \$ 620.00

5. FEE PAYMENT

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- Attached is a Credit Card Payment Form in the sum of \$620.00.
 The Commissioner is hereby authorized to charge Deposit Account No. 120.00 OP
the amount of \$0.00.
A duplicate copy of this transmittal is attached.

6. FEE DEFICIENCY

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O.G. 31-33.

- If any additional extension and/or fee is required, charge Deposit Account No. _____
(a duplicate copy of this letter is enclosed).

AND/OR

- If any additional fee for claims is required, charge Account No. _____
(a duplicate copy of this letter is enclosed)

Signature of Practitioner

Reg. No. 31,311

Randy W. Tung

Tel. No. (248) 540-4040

Tung & Associates
838 W. Long Lake Road - Suite 120
Bloomfield Hills, Michigan 48302